

BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale
City Hall Commission Chambers
100 N. Andrews Avenue, Fort Lauderdale, FL 33301

Wednesday, December 8, 2021
6:00 PM

AGENDA RESULTS

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM**
- III. PUBLIC SIGN-IN / SWEARING-IN**
- IV. AGENDA ITEMS: AGENDA ITEMS MAY BE TAKEN OUT OF ORDER TO ACCOMMODATE PUBLIC COMMENT OR AS THE BOARD DEEMS NECESSARY. ALL APPLICANT(S), AGENT(S), AND ANYONE WHO WISHES TO SPEAK ON ANY ITEM ON THE AGENDA, MUST BE PRESENT AT THE BEGINNING OF THE MEETING DUE TO THE POSSIBILITY THAT AGENDA ITEMS MAY BE TAKEN OUT OF ORDER.**

1. CASE:	PLN-BOA-21070002
OWNER:	Kelly a. Reutenauer
AGENT:	N/A
ADDRESS:	3150 NW 66 ST, FORT LAUDERDALE, FLORIDA 33309 LOT 8, BLOCK 12, PALM-AIRE VILLAGE 2ND SECTION ADDITION 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 74, PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
LEGAL DESCRIPTION:	
ZONING DISTRICT:	RS-5 – BROWARD COUNTY ZONING*
COMMISSION DISTRICT:	1
REQUESTING:	<u>Sec. 39-275.(1) Easements, Broward County Zoning Code*</u>

1. Requesting a variance to allow a shed in an easement whereas the code states No permanent structure except a wood or chain link fence shall encroach upon or into any easement of record. No structure or use shall encroach upon or obstruct access through any easement specifically granted for ingress or egress purposes.

Sec. 39-275.(3)(d) Yard encroachments, Broward County Zoning Code*

2. Requesting a variance to allow a shed at a setback distance of 2.4 feet from the south east property line and 1.9 feet from the south west property line whereas the code states On a plot containing a one-family detached or two family dwelling, side and rear yards not abutting a street may be reduced to five (5) feet for accessory uses and buildings. A total reduction of 2.6 feet from the south east property line and 3.1 feet from the south west property lines.

Sec. 39-275.(3)(g) Yard encroachments, Broward County Zoning Code*

3. Requesting a variance to allow a one story accessory building at a setback distance of 6.9 feet from the principal building whereas the code states One-story accessory buildings shall be at least ten (10) feet from any other accessory building and from any principal building on the same plot. A total reduction 3.1 feet.

**This area was annexed into the City of Fort Lauderdale in the year 2000 and remains subject to the Broward County Zoning Code in effect at the time of annexation until such time as the area is rezoned by the City of Fort Lauderdale.*

Motion to approve all variance requests passed 5-0.

2. CASE:	PLN-BOA-21100003
OWNER:	1415 SW LLC
AGENT:	Michael A.Rajtar, ESQ., and Ebryonna Wiggins, ESQ.,
ADDRESS:	1415 SW 27 TH COURT, FORT LAUDERDALE, FLORIDA 33315
LEGAL DESCRIPTION:	LOT 4, BLOCK 2, OF HIBISCUS GARDENS AS RECORDED IN PLAT BOOK 10 AT PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**ZONING
DISTRICT:
COMMISSION
DISTRICT:
REQUESTING:**

RS-8, RESIDENTIAL SINGLE FAMILY/LOW MEDIUM
DENSITY

4

Note: The subject lot is a formerly legally nonconforming lot that lost its status in accordance with Section 47-3.3.B.3 of the ULDR which provides: “If two (2) or more lots with continuous frontage are in a single ownership and if any of the lots are nonconforming, the nonconforming lot and the parcel or lot abutting the nonconforming lot shall be deemed by operation of law to be merged and considered to be an undivided plot. No development permit shall thereafter be issued for a use of the nonconforming lot which has been merged with another parcel which recognizes a reduction of the merged parcel below the requirement for a lot which meets the ULDR requirements of the zoning district where the lot is located”.

Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district. (Note A)

1. Requesting a variance regarding lot 4, to allow the existing structure to be at a setback distance of 4.4 feet on West side yard whereas the code requires a minimum setback of 5 feet a total variance request of 0.60 feet.
2. Requesting a variance from the minimum front yard setback of 25 feet to 16.26 feet
3. Requesting a variance from the minimum lot size requirements of 6000 square feet to 4738 square feet a total reduction of 1262 square feet.
4. Requesting a variance from the minimum lot width requirements of 50 feet to 46 feet a total reduction of 4 feet.

Motion to approve all variance requests passed 5-0.

3. CASE:	PLN-BOA-21110006
OWNER:	1415 SW LLC
AGENT:	MICHAEL A.RAJTAR, ESQ., and EBRYONNA WIGGINS, ESQ.,
ADDRESS:	1417 SW 27 TH COURT, FORT LAUDERDALE, FLORIDA 33315
LEGAL	LOT 5, OF BLOCK 2, OF HIBISCUS GARDENS, AS

DESCRIPTION: RECORDED IN PLAT BOOK 10 AT PAGE 1, OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
ZONING RS-8, RESIDENTIAL SINGLE FAMILY/LOW MEDIUM
DISTRICT: DENSITY
COMMISSION 4
DISTRICT:
REQUESTING: **Note: The subject lot is a formerly legally nonconforming lot that lost its status in accordance with Section 47-3.3.B.3 of the ULDR which provides: “If two (2) or more lots with continuous frontage are in a single ownership and if any of the lots are nonconforming, the nonconforming lot and the parcel or lot abutting the nonconforming lot shall be deemed by operation of law to be merged and considered to be an undivided plot. No development permit shall thereafter be issued for a use of the nonconforming lot which has been merged with another parcel which recognizes a reduction of the merged parcel below the requirement for a lot which meets the ULDR requirements of the zoning district where the lot is located”.**

Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district. (Note A)

1. Requesting a variance from the minimum lot size requirements of 6000 square feet to 4738 square feet a total reduction of 1262 square feet.
2. Requesting a variance from the minimum lot width requirements of 50 feet to 46 feet a total reduction of 4 feet.

Sec. 47-19.2.S - Accessory buildings, structures and equipment, general.

3. Requesting a variance for an existing air conditioner compressor located on the east side, from the minimum 5 feet side yard requirement to be reduced to 1.67 feet, a total reduction of 3.33 feet

Motion to approve all variance requests passed 5-0.

4. CASE: PLN-BOA-21110002

OWNER: Luis & Aleida Ramirez

AGENT: N/A

ADDRESS: 2525 BAYVIEW DRIVE, FORT LAUDERDALE, FLORIDA 33305

LEGAL DESCRIPTION: LOT 1, BLOCK 2, OF CORAL RIDGE GALT ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, AT PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

ZONING DISTRICT: RS-4.4 - Residential of Single Family/Low Density

COMMISSION DISTRICT: 1

REQUESTING: **Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district. (Note A)**

1. Requesting a variance to allow a one story carport structure at a setback distance of 8 feet 8 inches from North corner yard setback, Whereas the code requires a 25 feet coner yard setback A total reduction 16 feet 4 inches.

Motion to approve the variance request failed 0-5.

5. CASE: **PLN-BOA-21110004**

OWNER: Spectrum Investors LLC

AGENT: Andrew J Schein, ESQ./LOCHRIE & CHAKAS, P.A.

ADDRESS: 2050 SPECTRUM BLVD, FORT LAUDERDALE, FLORIDA 33309

LEGAL DESCRIPTION: A PORTION OF TRACT "J", COMMERCE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 18, TOGETHER WITH A PORTION OF THAT CERTAIN CANAL EASEMENT IN THE NORTHWEST ONE-QUARTER (NW. PAGE 18, TOGETHER WITH A PORTION OF THAT CERTAIN CANAL EASEMENT IN THE NORTHWEST ONE-QUARTER (NW. 1/4) OF THE SOUTHWEST ONE-QUARTER (S. W. 1/4) OF SECTION 16, TOWNSHIP 49 SOUTH, RANGE 42 EAST, RECORDED IN OFFICIAL RECORD BOOK 3223, PAGE 810, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT "J", THENCE NORTH 01°30'00" WEST ALONG THE WEST LINE OF SAID TRACT "J" AND THE EAST RIGHT OF WAY LINE OF N.W. 21ST AVENUE AS SHOWN ON SAID

COMMERCE PARK PLAT, A DISTANCE OF 504.96 FEET, THENCE NORTH 88.30'00" EAST, A DISTANCE OF 37.50 FEET, THENCE NORTH 07'30'00" WEST, A DISTANCE OF 74.44 FEET; THENCE NORTH 43'32'56" EAST, A DISTANCE OF 21.95 FEET; THENCE NORTH 88.35'51" EAST, A DISTANCE OF 7.97 FEET; THENCE NORTH 01'24'09" WEST, A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT "J" AND THE SOUTH RIGHT OF WAY LINE OF N. W. 49TH STREET, AS SHOWN ON SAID COMMERCE PARK PLAT, THENCE NORTH 88'35'57" EAST, ALONG THE NORTH LINE OF SAID TRACT "J" AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 426.04 FEET, THENCE SOUTH 01'24'09" EAST, ALONG A LINE PARALLEL WITH AND 33.92 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID TRACT "J" AND A SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 640.00 FEET TO A POINT ON THE SOUTH LINE OF SAID CERTAIN CANAL EASEMENT AND THE SOUTH LINE OF THE SAID NORTHWEST ONE-QUARTER (N.W. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 16; THENCE SOUTH 88'35'51" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 479.99 FEET TO THE EAST RIGHT OF WAY LINE OF SAID N.W. 21ST AVENUE AND A SOUTHERLY PROJECTION OF THE WEST LINE OF SAID TRACT "J", THENCE NORTH 07'30'00" WEST ALONG SAID SOUTHERLY PROJECTION, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH: A PORTION OF TRACTS "I" AND "J" OF COMMERCE PARK ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 80 FOOT CANAL EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 3223, PAGE 810 THROUGH 811 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT LYING IN THE SOUTHWEST ONE-QUARTER (S. W. 1/4) OF SECTION 16, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT "I", THENCE NORTH 88'35'51" EAST, ALONG THE NORTH LINE OF SAID TRACT "I", A DISTANCE OF 102.08 FEET, THENCE SOUTH 01'24'09" EAST, ALONG A LINE 702.08 FEET EAST OF AND PARALLEL WITH AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACT "I" AND A SOUTHERLY PROJECTION

THEREOF, A DISTANCE OF 640.00 FEET, THENCE SOUTH 88'35'51" WEST, ALONG THE SOUTH LINE OF THAT SAID 80 FOOT CANAL EASEMENT, A DISTANCE OF 136.00 FEET, THENCE NORTH 01'24'09" WEST, ALONG A LINE 33.92 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT "I", A DISTANCE OF 640.00 FEET, THENCE NORTH 88'35'51" EAST, ALONG THE NORTH LINE OF SAID TRACT "J", A DISTANCE OF 33.92 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

**ZONING
DISTRICT:
COMMISSION
DISTRICT:
REQUESTING:**

AIP - Airport Industrial Park District

1

Sec. 47-14.22.A.1 - Minimum design standards. Fences and walls.

1. Requesting a variance to permit a metal picket fence instead of a chain-link fence, where the code requires that metal fences be open-weave chain-link fences.

Sec. 47-14.22.A.5 - Minimum design standards. Fences and walls.

2. Requesting a variance to permit a 6 feet fence within the north setback where ULDR Section 47-14.22.A.5 limits fences within a street-side setback to 3 feet a total increase in height of 3 feet.

Motion to approve all variance requests passed 5-0.

V. COMMUNICATION TO THE CITY COMMISSION

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

- City Commission adopted Ordinance No. C-21-32
- 2022 BOA Calendar Dates and Deadlines